

Office of the Revisor of Statutes

Administrative Rules



TITLE: Adopted Permanent Rules Relating to Election Administration

AGENCY: Secretary of State

MINNESOTA RULES: Chapters 8200, 8205, 8210, 8230, 8250, and 8255



RULE APPROVED
OFFICE OF ADMINISTRATIVE HEARINGS

March 31, 2016

DATE

James E. Latane

ADMINISTRATIVE LAW JUDGE.

The attached rules are approved for
filing with the Secretary of State

John R. McCullough

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Senior Assistant Revisor

162812

1.1 **Secretary of State**

1.2 **Adopted Permanent Rules Relating to Election Administration**

1.3 **8200.1100 PRINTING SPECIFICATIONS.**

1.4 Subpart 1. **Applications returned by mail.** Voter registration applications printed
1.5 for the purpose of distribution and mailing may be printed pursuant to items A to D.

1.6 [For text of items A to E, see M.R.]

1.7 Subp. 2. **Other applications.** Paper voter registration applications for use at county
1.8 auditor offices or at polling places on election day must be printed pursuant to items A to D.

1.9 A. The size must be 8-1/2 by 11 inches.

1.10 B. The paper must be white offset.

1.11 [For text of items C and D, see M.R.]

1.12 **8200.1200 REGISTRATION APPLICATION; FORMAT.**

1.13 Subpart 1. **Form.** Any voter registration application must:

1.14 [For text of items A to D, see M.R.]

1.15 E. include on or with the application a set of instructions for the application;

1.16 F. include on or with the application a statement that assistance for registration
1.17 and voting is available for elderly and disabled persons and residents of health care
1.18 facilities;

1.19 G. include on the application a reference to where a privacy information
1.20 statement may be found, if produced under part 8200.1100, subpart 1; and

1.21 H. include on or with the application a privacy information statement, if
1.22 produced under part 8200.1100, subpart 2.

1.23 [For text of subps 1a and 1b, see M.R.]

2.1 Subp. 2. **Box for office use only.** Paper voter registration applications must contain
2.2 a box marked for "election judge official use only" which contains "W __", "P __", and
2.3 "SD." These abbreviations stand for "ward," "precinct," and "school district." Other
2.4 information may also be included. Judges of election shall record the type of election day
2.5 voter registration proof and its number, if any, in the "election judge official use only" box.

2.6 Subp. 3. **Identifying mark.** Paper voter registration applications may include a
2.7 mark identifying where the applicant obtained the application or how the application was
2.8 delivered to the county auditor or secretary of state.

2.9 **8200.5100 REGISTRATION AT PRECINCT ONLY.**

2.10 [For text of subp 1, see M.R.]

2.11 Subp. 2. **Additional proof of residence allowed.** An eligible voter may prove
2.12 residence under this subpart by presenting one of the photo identification cards listed in
2.13 item A and one of the additional proofs of residence listed in item B.

2.14 A. The following documents are acceptable photo identification cards under this
2.15 subpart if they contain the voter's name and photograph:

2.16 [For text of subitems (1) and (2), see M.R.]

2.17 (3) a United States military or veteran identification card;

2.18 [For text of subitems (4) and (5), see M.R.]

2.19 [For text of item B, see M.R.]

2.20 Subp. 3. **Additional proof of residence allowed for students.** An eligible
2.21 voter may prove residence by presenting a current valid photo identification issued
2.22 by a postsecondary educational institution in Minnesota if the voter's name, student
2.23 identification number (if available), and address within the precinct appear on a current
2.24 residential housing list under Minnesota Statutes, section 135A.17, certified to the county
2.25 auditor by the postsecondary educational institution.

3.1 This additional proof of residence for students must not be allowed unless the
3.2 postsecondary educational institution submits to the county auditor no later than 60 days
3.3 prior to the election a written agreement that the postsecondary educational institution will
3.4 certify for use at the election accurate updated residential housing lists under Minnesota
3.5 Statutes, section 135A.17. A written agreement is effective for the election and all
3.6 subsequent elections held in that calendar year, including the November general election.

3.7 The additional proof of residence for students must be allowed on an equal basis for
3.8 voters who reside in housing meeting the requirements of Minnesota Statutes, section
3.9 135A.17, if the residential housing lists certified by the postsecondary educational
3.10 institution meet the requirements of this part.

3.11 An updated residential housing list must be certified to the county auditor no earlier
3.12 than 20 days prior to each election. The certification must be dated and signed by the
3.13 chief officer or designee of the postsecondary educational institution and must state that
3.14 the list is current and accurate and includes only the names of persons residing as of the
3.15 date of the certification.

3.16 The auditor shall instruct the election judges of the precinct in procedures for use
3.17 of the list in conjunction with photo identification. The auditor shall supply a list to the
3.18 election judges with the election supplies for the precinct.

3.19 The auditor shall notify all postsecondary educational institutions in the county of the
3.20 provisions of this subpart.

3.21 Subp. 4. [Repealed, 38 SR 1368]

3.22 **8200.5400 NOTATION OF IDENTIFICATION ON REGISTRATION**
3.23 **APPLICATION.**

3.24 When a voter uses a driver's license, learner's permit, or identification card, issued
3.25 by the state of Minnesota or any other state of the United States as defined in Minnesota
3.26 Statutes, section 645.44, subdivision 11; United States passport; United States military
3.27 or veteran identification card; tribal identification card; or Minnesota secondary or

postsecondary educational institution student identification card to prove residence or identity when registering on election day, the election judge who is registering voters shall record the number, if any, on the voter registration application in the "election judge official use only" area of the application. When a voter uses one of the documents listed in part 8200.5100, subparts 2 and 3 to prove residence for election day registration, the election judge who is registering voters shall record the type of document on the voter registration application in the "election judge official use only" area of the application.

8200.9115 FORM OF POLLING PLACE ROSTERS.

Subpart 1. **General form of roster.** The polling place rosters must contain the following items from the statewide registration system: voter's name, voter's address, voter's date of birth, voter's school district number, and a line on which the voter's signature can be written. When a voter's registration has been challenged pursuant to Minnesota Statutes, section 201.121, subdivision 2, an indicator noting the voter's challenged status must be printed on the line or included in the field provided for the voter's signature. A similar indicator must be printed on the line or included in the field provided for the voter's signature to note a voter's guardianship or felony status, if any.

The following certification must be included at the top of each page of the polling place roster: "I swear or affirm that I am at least 18 years of age and a citizen of the United States; that I reside at the address shown and have resided in Minnesota for 20 days immediately preceding this election; that I am not under guardianship of the person in which the court order revokes my right to vote, have not been found by a court to be legally incompetent to vote, and that I have the right to vote because, if convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence; and that I am registered and will be voting only in this precinct. I understand that giving false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

5.1 One or more pages in a printed polling place roster must be provided for use by voters
5.2 who register to vote in the polling place on election day. An election day registrant shall
5.3 fill in the registrant's name, address, and date of birth and shall sign the roster on the
5.4 line provided.

5.5 The polling place roster must also contain the name of the precinct and, for paper
5.6 rosters, must include a page number. In addition, each line provided for a voter's signature
5.7 must be consecutively numbered on each page.

5.8 The roster may also include additional material as permitted under Minnesota
5.9 Statutes, section 201.221, subdivision 3.

5.10 [For text of subps 2 and 3, see M.R.]

5.11 **8200.9939 FORM OF OATH, SPECIFIED BY PART 8200.5100.**

5.12 I, _____ (Name of Voucher) swear or affirm that (Check one):

5.13 ☐ I am pre-registered to vote in this precinct

5.14 Voter ID # _____

5.15 (to be completed by the election judge)

5.16 ☐ I registered in this precinct today and did not have another person vouch for me

5.17 ☐ I am an employee of a residential facility

5.18 _____

5.19 (Name of residential facility)

5.20 Residential Address of Voucher or Address of Residential Facility

5.21 _____

5.22 Street Address _____ City _____

5.23 Telephone number _____

5.24 E-mail address (optional) _____

5.25 I personally know that _____

5.26 (Name of person registering)

5.27 is a resident of this precinct.

6.1

6.2

Signature of Voucher

6.3

Election Judge Official Use Only:

6.4

Subscribed and sworn to before me

6.5

____/____/____

6.6

Date

Signature of Election Judge

6.7

The above oath shall be attached to the voter registration card and retained for at least 22 months.

6.8

6.9

8205.3200 VERIFYING STATEWIDE MAJOR POLITICAL PARTY

6.10

RECOGNITION PETITION AND STATEWIDE MINOR POLITICAL PARTY

6.11

RECOGNITION PETITION.

6.12

Subpart 1. **Verifying the statewide political party recognition petitions.** The secretary of state shall verify each statewide Major Political Party Recognition Petition and each statewide Minor Political Party Recognition Petition by the following method.

6.13

6.14

6.15

[For text of items A to C, see M.R.]

6.16

D. The secretary of state shall use a random sampling technique to verify that the persons signing the petition are eligible persons.

6.17

6.18

[For text of subitems (1) and (2), see M.R.]

6.19

(3) The secretary of state shall verify that the address given by each signatory in the sample is in the state of Minnesota and that the birth date given by each signatory in the sample establishes that the signatory was eligible to sign the petition. The secretary of state must also determine that the signatory signed the petition not more than one year prior to filing of the petition. Signatures from persons determined by the secretary of state to be ineligible to vote must not be counted.

6.20

6.21

6.22

6.23

6.24

6.25

[For text of subitems (4) to (7), see M.R.]

6.26

[For text of item E, see M.R.]

[For text of subp 2, see M.R.]

8210.0500 INSTRUCTIONS TO ABSENT VOTER.

Subpart 1. **Required instructions.** Instructions to the absent voter shall be transmitted with the absentee ballot materials sent or delivered to the absent voter. The instructions shall be in the form in subparts 2, 3, or 4 or 5 and 6. The instruction headings with numbers must be in no smaller than 12-point type and the rest of the text must be in no smaller than 10-point type, except for the confidentiality notice, which may be in 7-point type. The instructions must explain how to correctly mark the ballot. The instructions must inform the voter of the effect of casting multiple votes for an office and, in the case of a partisan primary, the effect of voting for candidates of more than one party. The instructions must include information on how to correct a ballot before it is cast and counted, including instructions on how to request a replacement ballot if the voter is unable to change the ballot or correct an error. The instructions must include a graphic depiction of the absentee ballot materials and how they are to be completed and assembled by the voter. The instructions must also include a privacy notice that complies with Minnesota Statutes, section 13.04. The secretary of state must provide each county auditor with sample instructions with graphic depictions.

Subp. 2. Instructions for registered voters.

Instructions

How to vote by absentee ballot

for registered voters

You will need:

- Ballot*
- Tan ballot envelope*
- White signature envelope*
- Larger white return envelope*
- Pen with black ink

- 8.1 • Your ID number
- 8.2 Minnesota driver's license number, Minnesota ID card number, or the last four
- 8.3 digits of your Social Security number.

8.4 *See below if you do not have any of these numbers.*

- 8.5 • Witness

8.6 Anyone registered to vote in Minnesota,

8.7 *including your spouse or relative,*

8.8 *or a notary public,*

8.9 *or a person with the authority to administer oaths*

8.10 * If any of these items are missing, please contact your local election official.

8.11 **1 Vote!**

- 8.12 • Show your witness your blank ballot, then mark your votes in private.
- 8.13 • Follow the instructions on the ballot.
- 8.14 • Do not write your name or ID number anywhere on the ballot.
- 8.15 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
- 8.16 *will not count.*

8.17 *See the other side if you make a mistake on your ballot.*

8.18 **2 Seal your ballot in the tan ballot envelope**

- 8.19 • Do not write on this envelope.

8.20 **3 Put the tan ballot envelope into the white signature envelope**

8.21 **4 Fill out the white signature envelope completely**

- 8.22 • If there is no label, print your name and Minnesota address.
- 8.23 • Print your Minnesota driver's license number, Minnesota ID card number, or the
- 8.24 last four digits of your Social Security number.

8.25 **Be sure to use one of the same numbers that you provided on your absentee**

8.26 **ballot application.**

8.27 *If you do not have any of these numbers, check the box.*

- 8.28 • Read and sign the oath.

- 9.1 • Ask your witness to print their name and Minnesota street address, including city
9.2 (not a P. O. Box), and sign their name.

9.3 *If your witness is an official or notary, they must print their title instead of*
9.4 *an address.*

9.5 *Notaries must also affix their stamp.*

- 9.6 • Seal the envelope.

9.7 **5 Put the signature envelope into the larger white return envelope to protect your**
9.8 **private information from view**

- 9.9 • Seal the envelope.

9.10 **6 Return your ballot by Election Day to the address on the return envelope**

9.11 **Ballots may not be delivered to your polling place.**

9.12 You have three options:

- 9.13 • Send it so it arrives by Election Day, using U.S. mail or a package delivery service,
9.14 • Deliver it in person before election day or by 3:00 p.m. on Election Day, or
9.15 • Ask someone to deliver it by 3:00 p.m. on Election Day.

9.16 *This person cannot deliver more than 3 ballots.*

9.17 **See the other side for special instructions if you have a disability.**

9.18 **To check the status of your absentee ballot, visit www.mnvotes.org.**

9.19 **Correcting a mistake**

- 9.20 • If time allows, ask for a new ballot from your election office. Contact your election
9.21 office at [e-mail] or [phone number], or

- 9.22 • Completely cross out the name of the candidate you accidentally marked and then
9.23 mark your ballot for the candidate you prefer (do not initial your corrections).

9.24 **If you have a disability:**

9.25 If you have a disability or cannot mark your ballot, your witness may assist you by marking
9.26 your ballot at your direction, assembling the materials, and filling out the forms for you.

9.27 When signing the envelope, Minnesota law says you may:

- 10.1 • Sign the return envelope yourself, or
- 10.2 • Make your mark, or
- 10.3 • Ask your witness to sign for you in your presence. (Have the witness sign their
- 10.4 own name as well.)
- 10.5 • If you have adopted the use of a signature stamp for all purposes of signature, you
- 10.6 may use your signature stamp or ask your witness to use your signature stamp
- 10.7 in your presence.

10.8 Minnesota Statutes, section 645.44, subdivision 14

10.9 Please note: Voting is not covered by power of attorney. A person with power of attorney
10.10 may only sign for you in your presence, as outlined above.

10.11 Subp. 3. **Instructions for unregistered voters.**

10.12 **Instructions**

10.13 **How to vote by absentee ballot**

10.14 **You will need:**

- 10.15 • Ballot*
- 10.16 • Tan ballot envelope*
- 10.17 • Voter registration application*
- 10.18 • White signature envelope*
- 10.19 • Larger white return envelope*
- 10.20 • Pen with black ink
- 10.21 • Minnesota driver's license with your address
- 10.22 or other authorized proof of where you live:
- 10.23 *See other side for a list of options*
- 10.24 • Your ID number
- 10.25 Minnesota driver's license number, Minnesota ID card number, or the last four
- 10.26 digits of your Social Security number.
- 10.27 *See below if you do not have any of these numbers.*
- 10.28 • Witness
- 10.29 Anyone registered to vote in Minnesota,
- 10.30 including your spouse or relative,

- 11.1 or a notary public,
- 11.2 or a person with the authority to administer oaths
- 11.3 * If any of these items are missing, please contact your local election official.
- 11.4 **Important: You must submit the voter registration application with your ballot (in**
- 11.5 **the white signature envelope) for your vote to be counted.**
- 11.6 **1 Fill out the voter registration application and sign it**
- 11.7 • Show your witness your driver's license or other authorized proof of where you live.
- 11.8 *See the other side for a list of options.*
- 11.9 **2 Vote!**
- 11.10 • Show your witness your blank ballot, then mark your votes in private.
- 11.11 • Follow the instructions on the ballot.
- 11.12 • Do not write your name or ID number anywhere on the ballot.
- 11.13 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
- 11.14 *will not count.*
- 11.15 *See the other side if you make a mistake on your ballot.*
- 11.16 **3 Seal your ballot in the tan ballot envelope**
- 11.17 • Do not write on this envelope.
- 11.18 **4 Put the tan ballot envelope and the voter registration application in the white**
- 11.19 **signature envelope**
- 11.20 **5 Fill out the white signature envelope completely**
- 11.21 • If there is no label, print your name and Minnesota address.
- 11.22 • Print your Minnesota driver's license number, Minnesota ID card number, or the
- 11.23 last four digits of your Social Security number.
- 11.24 **Be sure to use one of the same numbers that you provided on your absentee**
- 11.25 **ballot application.**
- 11.26 *If you do not have any of these numbers, check the box.*
- 11.27 • Read and sign the oath.

- 12.1 • Ask your witness to print their name and Minnesota street address, including city
12.2 (not a P. O. Box), indicate which proof you showed them, and sign their name.

12.3 *If your witness is an official or notary, they must print their title instead of*
12.4 *an address.*

12.5 *Notaries must also affix their stamp.*

- 12.6 • Seal the envelope.

12.7 **6 Put the signature envelope into the larger white return envelope to protect your**
12.8 **private information from view**

- 12.9 • Seal the envelope.

12.10 **7 Return your ballot by Election Day to the address on the return envelope**

12.11 **Ballots may not be delivered to your polling place.**

12.12 You have three options:

- 12.13 • Send it so it arrives by Election Day, using U.S. mail or a package delivery service,
12.14 • Deliver it in person before election day or by 3:00 p.m. on Election Day, or
12.15 • Ask someone to deliver it by 3:00 p.m. on Election Day.

12.16 *This person cannot deliver more than 3 ballots.*

12.17 **To check the status of your absentee ballot, visit www.mnvotes.org.**

12.18 **Options for proof of where you live**

12.19 A valid Minnesota driver's license, Minnesota ID card, or permit with your current
12.20 address

12.21 *or*

12.22 A photo ID that does not have your current address along with a document that
12.23 has your current address

13.1 • **Eligible photo IDs:** Minnesota or another state's driver's license, learner's permit,
13.2 or ID card; U.S. passport; U.S. military or veteran ID card; Minnesota high
13.3 school/college/university ID card; or tribal ID card with your signature, from a
13.4 tribe recognized by the Bureau of Indian Affairs (BIA).

13.5 • **Eligible documents with your current address:** an original bill, including
13.6 account statements and start-of-service notifications, dated within 30 days before
13.7 or with a due date 30 days before or after the election; a current student fee
13.8 statement; or a residential lease if valid through election day. Eligible bills are:
13.9 gas, electric, solid waste, water, sewer, phone, cell phone, television, Internet
13.10 provider, credit card, or banking services; or bills for rent or mortgage payments.

13.11 *or one of the following:*

13.12 • A yellow receipt for a valid Minnesota driver's license, Minnesota ID card, or
13.13 permit with your current address

13.14 • Vouching: the signature of a registered voter who lives in your precinct and
13.15 personally knows that you live in the precinct. If your witness is registered to vote
13.16 in this precinct, your witness may vouch for you. *This person must complete and*
13.17 *sign the voucher form on the back of the voter registration application.*

13.18 • A tribal ID card with your name, address, signature, and picture, from a tribe
13.19 recognized by the BIA

13.20 • A "Notice of Late Registration" if you received one from the county auditor or
13.21 city clerk

13.22 • If you have moved within your precinct or changed your name, a current
13.23 registration in the precinct

13.24 • Vouching for residents of certain residential facilities: the signature of an
13.25 employee of your residential facility, including nursing homes, group homes,
13.26 battered women's shelters, homeless shelters, etc. If you are not sure if the
13.27 residential facility where you live is eligible, call your local election official. *The*
13.28 *employee must complete and sign the voucher form on the back of the voter*
13.29 *registration application.*

13.30 **Correcting a mistake**

13.31 • If time allows, ask for a new ballot from your election office. Contact your election
13.32 office at [e-mail] or [phone number], or

- 14.1 • Completely cross out the name of the candidate you accidentally marked and then
14.2 mark your ballot for the candidate you prefer (do not initial your corrections).

14.3 **If you have a disability:**

14.4 If you have a disability or cannot mark your ballot, your witness may assist you by marking
14.5 your ballot at your direction, assembling the materials, and filling out the forms for you.

14.6 When signing the envelope, Minnesota law says you may:

- 14.7 • Sign the return envelope yourself, or
14.8 • Make your mark, or
14.9 • Ask your witness to sign for you in your presence. (Have the witness sign their
14.10 own name as well.)
14.11 • If you have adopted the use of a signature stamp for all purposes of signature, you
14.12 may use your signature stamp or ask your witness to use your signature stamp
14.13 in your presence.

14.14 Minnesota Statutes, section 645.44, subdivision 14

14.15 Please note: Voting is not covered by power of attorney. A person with power of attorney
14.16 may only sign for you in your presence, as outlined above.

14.17 **Subp. 4. Instructions for military and overseas voters transmitted ballots by mail.**

14.18 **Instructions**

14.19 **How to vote by absentee ballot for military and overseas voters**

14.20 **You will need:**

- 14.21 • Ballot*
14.22 • Tan ballot envelope*
14.23 • White signature envelope*
14.24 • Larger white return envelope*
14.25 • Pen with black ink
14.26 • Your ID number

14.27 Minnesota driver's license number, Minnesota ID card number, U.S. passport
14.28 number, or the last four digits of your Social Security number.

15.1 *See below if you do not have any of these numbers.*

15.2 * If any of these items are missing, please contact your local election official.

15.3 **1 Vote!**

15.4 • Mark your votes in private.

15.5 • Follow the instructions on the ballot.

15.6 • Do not write your name or ID number anywhere on the ballot.

15.7 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
15.8 *will not count.*

15.9 *See the other side if you make a mistake on your ballot.*

15.10 **2 Seal your ballot in the tan ballot envelope**

15.11 • Do not write on this envelope.

15.12 **3 Put the tan ballot envelope into the white signature envelope**

15.13 **4 Fill out the white signature envelope completely**

15.14 • If there is no label, print your name and Minnesota address (present or last).

15.15 • Print your e-mail address and phone number (optional).

15.16 • Print your Minnesota driver's license number, Minnesota ID card number, passport
15.17 number, or the last four digits of your Social Security number.

15.18 **Be sure to use one of the same numbers that you provided on your absentee**
15.19 **ballot application.**

15.20 *If you do not have access to any of these documents, leave this space blank.*

15.21 • Read and sign the oath.

15.22 • Seal the envelope.

15.23 **5 Put the signature envelope into the larger white return envelope to protect your**
15.24 **private information from view**

15.25 • Seal the envelope.

15.26 **6 Return your ballot by Election Day to the address on the return envelope**

15.27 • Send it so it arrives by Election Day, using mail, a package delivery service, or
15.28 the diplomatic pouch at a U.S. embassy or consulate.

- 16.1 • Postage is not required if the postal permit is on the envelope and it is sent using
16.2 U.S. mail, U.S. military mail, or the diplomatic pouch. Postage may be required if
16.3 you use a foreign mail service or a package delivery service.

16.4 **See the other side for special instructions if you have a disability.**

16.5 **To check the status of your absentee ballot, visit <http://www.mnvotes.org>.**

16.6 If you have any questions, contact your county elections office at [insert e-mail address] or
16.7 [insert telephone number].

16.8 **Correcting a mistake**

- 16.9 • If time allows, ask for a new ballot from your election office. Contact your election
16.10 office at [e-mail] or [phone number], or
- 16.11 • Completely cross out the name of the candidate you accidentally marked and then
16.12 mark your ballot for the candidate you prefer (do not initial your corrections).

16.13 **If you have a disability:**

16.14 If you have a disability or cannot mark your ballot, another person may assist you by
16.15 marking your ballot at your direction, assembling the materials, and filling in the forms for
16.16 you.

16.17 When signing the envelope, Minnesota law says you may:

- 16.18 • Sign the return envelope yourself, or
16.19 • Make your mark, or
16.20 • Ask another person to sign for you in your presence. (Have this person sign their
16.21 own name as well.)
16.22 • If you have adopted the use of a signature stamp for all purposes of signature, you
16.23 may use your signature stamp or ask another person to use your signature stamp
16.24 in your presence.

16.25 Minnesota Statutes, section 645.44, subdivision 14

16.26 Please note: Voting is not covered by power of attorney. A person with power of attorney
16.27 may only sign for you in your presence as outlined above.

16.28 [For text of subp 5, see M.R.]

17.1 Subp. 6. Instructions for military and overseas voters transmitted ballots
17.2 electronically.

17.3 **Instructions**

17.4 **How to vote by absentee ballot for military and overseas voters sent ballots**
17.5 **electronically**

17.6 **Note: Your ballot must be printed out and physically returned. It cannot be returned**
17.7 **electronically.**

17.8 **You will need:**

- 17.9 • A printer
- 17.10 • A pen with black ink
- 17.11 • Two envelopes (you have 3 options):
 - 17.12 • Address your own blank envelopes by hand
 - 17.13 • Print the envelope templates directly onto envelopes (print the mailing
 - 17.14 envelope onto an envelope approximately 4 1/8 inches x 9 1/2 inches so that
 - 17.15 everything is positioned according to postal regulations)
 - 17.16 • If you do not have access to any envelopes, create the envelopes by folding
 - 17.17 and taping or gluing the attachments.
- 17.18 • Your ID number
- 17.19 Minnesota driver's license number, Minnesota ID card number, U.S. passport
- 17.20 number, or the last four digits of your Social Security number.
- 17.21 *See below if you do not have access to any of these numbers.*

17.22 **1 Print the materials**

- 17.23 • Print your ballot, the Certificate of Eligibility, and the envelope templates if you
- 17.24 are using them.
- 17.25 • Please note that the ballot may take multiple pages.
- 17.26 • Your printer should automatically scale the document to fit on the printable area of
- 17.27 the page. Just be sure that none of the words or ovals are cut off.

17.28 **2 Vote!**

- 17.29 • Mark your votes in private.
- 17.30 • Follow the instructions on the ballot.

- 18.1 • Do not write your name or ID number anywhere on the ballot.
- 18.2 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
- 18.3 *will not count.*
- 18.4 ***See below if you make a mistake on your ballot.***

18.5 **3 Use one of the envelopes as the ballot envelope**

- 18.6 • Put your ballot in this envelope to keep your votes private.
- 18.7 • Seal the envelope.
- 18.8 • Do not write on this envelope.

18.9 **4 Fill out the Certificate of Eligibility completely**

- 18.10 • Print your name and your Minnesota street address, including city (present or last).
- 18.11 • Print your e-mail address and phone number (optional).
- 18.12 • Print your Minnesota driver's license number, Minnesota ID card number, passport
- 18.13 number, or the last four digits of your Social Security number.

18.14 **Be sure to use one of the same numbers that you provided on your absentee**

18.15 **ballot application.**

18.16 *If you do not have access to any of these documents, leave this space blank.*

- 18.17 • Read and sign the oath.

18.18 **5 Put it all together**

- 18.19 • Attach the Certificate of Eligibility to the ballot envelope.
- 18.20 • Your second envelope is the return (mailing) envelope.
- 18.21 • Put the ballot envelope and the Certificate of Eligibility into the return envelope.
- 18.22 • Seal the return envelope.
- 18.23 • Address the return envelope to:

18.24 Official Absentee Balloting Material

18.25 County

18.26 [Street address]

18.27 [City], MN [Zip Code]

18.28 USA

18.29 **6 Return your ballot by Election Day to the address above**

20.1 [For text of subp 7, see M.R.]

20.2 **8210.0710 FORMAT AND INSTRUCTIONS FOR ABSENTEE BALLOT RETURN**
20.3 **ENVELOPES.**

20.4 [For text of subps 1 to 3, see M.R.]

20.5 Subp. 4. **Additional instructions for registered and military and overseas voters.**

20.6 The following words must be printed above the voter's certificate for envelopes with the
20.7 form prepared under parts 8210.0600, subpart 1a, and 8210.0800:

20.8 "Put the Ballot Envelope
20.9 in here, then seal flap"

20.10 The words may appear on the reverse side of the envelope.

20.11 Subp. 5. **Additional instructions for unregistered voters.** The following words
20.12 must be printed above the voter's certificate for envelopes with the form prepared under
20.13 part 8210.0600, subpart 1b:

20.14 "Put the Ballot Envelope and the
20.15 Voter Registration Application
20.16 in here, then seal flap"

20.17 The words may appear on the reverse side of the envelope.

20.18 Subp. 6. **Checklist for registered voters.** Envelopes with the form printed according
20.19 to part 8210.0600, subpart 1a, must have the following words printed on the exterior of
20.20 the return envelope:

20.21 **"Have you . . .**

- 20.22 ☐ Sealed your ballot in the tan ballot envelope?
- 20.23 ☐ Put the ballot envelope in the white signature
- 20.24 envelope?
- 20.25 ☐ Filled out the white signature envelope
- 20.26 completely and signed it?

- 21.1 ☐ Asked your witness to complete their section
- 21.2 and sign their name?
- 21.3 ☐ Put the white signature envelope into this
- 21.4 envelope?

21.5 **Return your ballot so it is received by Election Day."**

21.6 Subp. 7. **Checklist for unregistered voters.** Envelopes with the form printed
21.7 according to part 8210.0600, subpart 1b, must have the following words printed on the
21.8 exterior of the return envelope:

21.9 **"Have you . . .**

- 21.10 ☐ Sealed your ballot in the tan ballot envelope?
- 21.11 ☐ Put the ballot envelope and your voter
- 21.12 registration application in the white signature
- 21.13 envelope?
- 21.14 ☐ Filled out the white signature envelope
- 21.15 completely and signed it?
- 21.16 ☐ Asked your witness to complete their section
- 21.17 and sign their name?
- 21.18 ☐ Put the white signature envelope into this
- 21.19 envelope?

21.20 **Return your ballot so it is received by Election Day."**

21.21 Subp. 8. **Checklist for military and overseas voters.** Envelopes with the form
21.22 printed according to part 8210.0800 must have the following words on the exterior of
21.23 the return envelope:

21.24 **"Have you . . .**

- 21.25 ☐ Sealed your ballot in the tan ballot envelope?
- 21.26 ☐ Put the ballot envelope in the white signature
- 21.27 envelope?

- 22.1 ☐ Filled out the white signature envelope
22.2 completely and signed it?
22.3 ☐ Put the white signature envelope into this
22.4 envelope?

22.5 **Return your ballot so it is received by Election Day."**

22.6 **8210.0720 MAILING INFORMATION ON ABSENTEE BALLOT RETURN**
22.7 **ENVELOPES.**

22.8 [For text of subp 1, see M.R.]

22.9 Subp. 2. **Form.** The face of absentee ballot return envelopes must be printed
22.10 according to this part.

22.11 [For text of subps 3 to 7, see M.R.]

22.12 **8210.0800 ABSENTEE BALLOT SIGNATURE ENVELOPE AS PROVIDED BY**
22.13 **MINNESOTA STATUTES, SECTIONS 203B.16 AND 203B.17.**

22.14 Subpart 1. [Repealed, 34 SR 1561]

22.15 Subp. 2. [Repealed, 34 SR 1561]

22.16 Subp. 3. **Certificate of eligibility.** On the back of the absentee signature envelope
22.17 provided for in Minnesota Statutes, section 203B.21, a certificate of eligibility must be
22.18 printed on the envelope in the form shown in subpart 3a. The county auditor must provide
22.19 the Certificate of Eligibility as an electronic document to voters who requested electronic
22.20 delivery of absentee ballots.

22.21 [For text of subps 3a and 4, see M.R.]

22.22 **8210.2000 VOTER'S INFORMATION.**

22.23 If the absent voter's name, residential address, ward, and precinct number are not
22.24 printed on a label affixed to the envelope, the official mailing or delivering absentee

23.1 ballots to an absent voter shall, before doing so, fill in the absent voter's name, address,
23.2 ward, and precinct number in the spaces provided on the signature envelope, unless the
23.3 materials are transmitted to the voter electronically. When placing the label, the official
23.4 must place it over the space for the voter's name and address, but must not cover the
23.5 instructions to the voter or the voter's oath.

23.6 **8210.2200 DUTIES OF COUNTY AUDITOR OR MUNICIPAL CLERK UPON**
23.7 **RECEIPT OF ABSENTEE BALLOT RETURN ENVELOPE.**

23.8 Subpart 1. **Personal delivery.** Absentee ballot return envelopes that are delivered in
23.9 person by an absent voter or an agent must be received by the county auditor or municipal
23.10 clerk by 3:00 p.m. on election day. Ballots received by personal delivery after 3:00 p.m.
23.11 of election day shall be marked as received late by the county auditor or municipal clerk,
23.12 and must not be delivered to the ballot board.

23.13 [For text of subps 2 and 3, see M.R.]

23.14 **8210.2450 DUTIES OF BALLOT BOARD MEMBERS WHEN EXAMINING**
23.15 **RETURN ENVELOPES UNDER MINNESOTA STATUTES, SECTION 203B.121.**

23.16 [For text of subp 1, see M.R.]

23.17 Subp. 2. **Name, address, and signature review.** The voter's name and address on
23.18 the absentee ballot application must match the voter's name and address on the signature
23.19 envelope. Use of, or lack of, full names, nicknames, abbreviations, or initials on either
23.20 document are not a reason for rejection.

23.21 Ballot board members must determine whether the signature envelope was signed
23.22 by the voter. Use of, or lack of, full names, nicknames, abbreviations, or initials within
23.23 either signature are not a reason for rejection. A signature is considered the voter's even
23.24 if a voter uses a signature mark on either or both documents, or if a voter has another
23.25 individual or different individuals sign the voter's name in their presence on either or both
23.26 the application and the signature envelope in accordance with Minnesota Statutes, section

24.1 645.44, subdivision 14. A ballot must be rejected under this subpart on the basis of the
24.2 signature if the name signed is clearly a different name than the name of the voter as
24.3 printed on the signature envelope. This is the only circumstance under which a ballot may
24.4 be rejected on the basis of signature under this subpart.

24.5 Subp. 3. **Identification number review.** Ballot board members must determine
24.6 whether the identification number provided by the voter on the certificate is the same as
24.7 the identification number provided by the voter on the absentee ballot application or the
24.8 voter's record in the statewide voter registration system.

24.9 If the numbers do not match or the voter did not provide identification numbers on
24.10 both documents, the ballot board members must compare the signatures on the absentee
24.11 ballot application and on the signature envelope to determine whether the ballots were
24.12 returned by the same person to whom they were transmitted. Use of, or lack of, full
24.13 names, nicknames, abbreviations, or initials within either signature are not a reason for
24.14 rejection. A signature is considered the voter's even if a voter uses a signature mark on
24.15 either or both documents, or if a voter has another individual or different individuals sign
24.16 the voter's name in their presence on either or both the application and the return envelope
24.17 in accordance with Minnesota Statutes, section 645.44, subdivision 14.

24.18 Subp. 4. **Voter's registration status.**

24.19 A. Ballot board members must determine the voter is registered under the name
24.20 and at the address on the signature envelope by using the statewide voter registration
24.21 system, or a master list or polling place roster produced from the statewide voter
24.22 registration system. A voter who is not registered, whose registration is inactive, or whose
24.23 registration is challenged, must include a properly completed voter registration application
24.24 within the absentee return envelope pursuant to Minnesota Statutes, section 203B.04,
24.25 subdivision 4, or the ballot must be rejected. If the voter was sent nonregistered absentee
24.26 materials and the voter is not registered to vote and a voter registration application is not

25.1 found in the return envelope, the ballot board members shall open the signature and ballot
25.2 envelope and, without examining or removing the ballot, remove any voter registration
25.3 application from the signature and ballot envelope. The ballot board members must
25.4 immediately reseal the ballot envelope with the ballot enclosed, initialing across the seal
25.5 and noting on the ballot envelope the purpose for which it was opened.

25.6 B. A voter registration application returned separately from an absentee return
25.7 envelope after the voter registration deadline in Minnesota Statutes, section 201.061,
25.8 subdivision 1, is a late registration and may not be used as a registration for the current
25.9 election pursuant to Minnesota Statutes, section 201.054, subdivision 1, clause (3).

25.10 [For text of subps 5 and 6, see M.R.]

25.11 **8210.2500 MAIL PICKUP.**

25.12 Each municipal clerk shall communicate with the United States postal service facility
25.13 serving the municipality with regard to the handling of absentee ballot return envelopes
25.14 received by the post office on election day. The municipal clerk shall take all reasonable
25.15 steps to ensure that all return envelopes received by the post office before 4 p.m. on election
25.16 day are delivered before the closing of the polls to the ballot board. Absentee ballots
25.17 returned by mail delivery and received after election day shall be marked as received late
25.18 by the county auditor or municipal clerk, and must not be delivered to the ballot board.

25.19 **8210.3000 MAIL BALLOTING.**

25.20 [For text of subps 1 to 3, see M.R.]

25.21 Subp. 4. **Mailing ballots.** The county auditor, municipal clerk, or school district
25.22 clerk shall mail ballots to the voters registered in the municipality or unorganized territory.
25.23 A ballot mailing must be sent to each registered voter no earlier than 46 or later than 14
25.24 days prior to the election if mail balloting in the voter's precinct is proceeding pursuant to
25.25 Minnesota Statutes, section 204B.45. No later than 14 days before the election, the auditor

26.1 must make a subsequent mailing of ballots to those voters who register to vote after the
26.2 initial mailing but before the 20th day before the election.

26.3 A ballot mailing must be sent no earlier than 46 or later than 14 days prior to the
26.4 election if a mail election is being conducted in the jurisdiction pursuant to Minnesota
26.5 Statutes, section 204B.46. No later than 14 days before the election, the auditor or clerk
26.6 must make a subsequent mailing of ballots to those voters who register to vote after the
26.7 initial mailing but before the 20th day before the election.

26.8 No ballot may be mailed to a challenged voter. A notice must be transmitted to
26.9 challenged voters with an explanation of the challenge and with instructions on how they
26.10 may apply for an absentee ballot if they believe their registration was challenged in error.

26.11 The mail balloting process for voters whose registrations are incomplete under
26.12 Minnesota Statutes, section 201.061, subdivision 1a, or 201.121, must be administered
26.13 as if the voter were not registered to vote. A notice must be transmitted to voters with
26.14 incomplete registrations with instructions on how they may apply for an absentee ballot.

26.15 Ballots must be sent by nonforwardable mail. Ballots for eligible voters who reside in
26.16 health care facilities may be delivered as provided in Minnesota Statutes, section 203B.11.
26.17 The ballot mailing must be addressed to the voter at the voter's residence address as shown
26.18 on the registration file unless the voter completes an absentee ballot request as provided in
26.19 Minnesota Statutes, section 203B.04 or 203B.16.

26.20 A return envelope, a ballot secrecy envelope, and instructions for marking and
26.21 returning mail ballots must be included with the ballots. The instructions must include a
26.22 telephone number or electronic mail address which voters can call or write for help in mail
26.23 voting. The instructions must also include a privacy notice that complies with Minnesota
26.24 Statutes, section 13.04. At the request of the secretary of state, a survey card that the voter
26.25 can return to the secretary of state must also be included. The ballot return envelope must
26.26 be printed with the mail voter's certificate. The ballot return envelope must be addressed

27.1 for return to the county auditor, municipal clerk, or school district clerk that is conducting
27.2 the election. First class postage must be affixed to the return envelope.

27.3 Subp. 4a. **Form of instructions to mail voters.**

27.4 **Instructions**

27.5 **How to vote by mail ballot**

27.6 **You will need:**

27.7 • Ballot*

27.8 • Tan ballot envelope*

27.9 • White signature envelope*

27.10 • Pen with black ink

27.11 • Witness

27.12 Anyone registered to vote in Minnesota,

27.13 *including your spouse or relative,*

27.14 *or a notary public,*

27.15 *or a person with the authority to administer oaths*

27.16 * If any of these items are missing, please contact your local election official.

27.17 **1 Vote!**

27.18 • Show your witness your blank ballot, then mark your votes in private.

27.19 • Follow the instructions on the ballot.

27.20 • Do not write your name or ID number anywhere on the ballot.

27.21 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
27.22 *will not count.*

27.23 *See the other side if you make a mistake on your ballot.*

27.24 **2 Seal your ballot in the tan ballot envelope**

27.25 • Do not write on this envelope.

27.26 **3 Put the tan ballot envelope into the white signature envelope**

27.27 **4 Fill out the white signature envelope completely**

- 28.1 • If there is no label, print your name and Minnesota address.
- 28.2 • Read and sign the oath.
- 28.3 • Ask your witness to print their name and Minnesota street address, including city
- 28.4 (not a P. O. Box), and sign their name.
- 28.5 *If your witness is an official or notary, they must print their title instead of*
- 28.6 *an address.*
- 28.7 *Notaries must also affix their stamp.*
- 28.8 • Seal the envelope.

28.9 **5 Return your ballot by Election Day to the address on the signature envelope**

28.10 You have three options:

- 28.11 • Send it so it arrives by Election Day, using U.S. mail or a package delivery service,
- 28.12 • Deliver it in person by 8:00 p.m. on Election Day, or
- 28.13 • Ask someone to deliver it by 8:00 p.m. on Election Day.
- 28.14 *This person cannot deliver more than 3 ballots.*

28.15 If you have questions, please call (...) ...-....

28.16 **See other side for special instructions if you have a disability**

28.17 **Correcting a mistake**

- 28.18 • If time allows, ask for a new ballot from your election office. Contact your election
- 28.19 office at [e-mail] or [phone number], or
- 28.20 • Completely cross out the name of the candidate you accidentally marked and then
- 28.21 mark your ballot for the candidate you prefer (do not initial your corrections).

28.22 **If you have a disability:**

28.23 If you have a disability or cannot mark your ballot, your witness may assist you by marking

28.24 your ballot at your direction, assembling the materials, and filling out the forms for you.

28.25 When signing the envelope, Minnesota law says you may:

- 28.26 • Sign the return envelope yourself, or
- 28.27 • Make your mark, or

- 29.1 • Ask your witness to sign for you in your presence. (Have your witness sign their
29.2 own name as well.)
- 29.3 • If you have adopted the use of a signature stamp for all purposes of signature, you
29.4 may use your signature stamp or ask your witness to use your signature stamp
29.5 in your presence.

29.6 Minnesota Statutes, section 645.44, subdivision 14

29.7 Please note: Voting is not covered by power of attorney. A person with power of attorney
29.8 may only sign for you in your presence as outlined above.

29.9 [For text of subps 4b to 13, see M.R.]

29.10 **8230.1130 EXAMINING AND PROCESSING ABSENTEE BALLOTS.**

29.11 The election judges shall examine the absentee ballots as they are removed from
29.12 the secrecy envelopes. Ballots requiring duplication must be duplicated as provided in
29.13 part 8230.3850.

29.14 **8230.3560 USE OF PRECINCT COUNT VOTING SYSTEMS AT CENTRAL**
29.15 **COUNTING CENTERS.**

29.16 A. Central count voting systems must be used in central counting centers. One
29.17 precinct count voting system and one memory unit may be used at a central counting center.

29.18 B. Results must be produced for each precinct by either (1) printing a separate
29.19 summary statement for each precinct, or (2) producing segregated results for each precinct
29.20 that can be identified and attached individually as part of a complete summary statement
29.21 for each precinct.

29.22 **8230.3950 SUMMARY STATEMENTS.**

29.23 The election official in charge of the central counting center must prepare one or more
29.24 summary statements. The summary statement must state the name of the county; the name
29.25 of the municipality, school district, or special district; precinct name and code; offices;
29.26 names of candidates; number of persons registered at 7:00 a.m. on election day; number
29.27 of ballots counted; vote totals; and any other data required by the secretary of state.

30.1 Authorized personnel in the central counting center shall enter this data into the election
30.2 reporting system established by the secretary of state for the purpose of state reporting
30.3 of election results. The summary statement may be a computer printout as well as any
30.4 forms designated by the secretary of state.

30.5 **8230.4050 DISTRIBUTION OF SUMMARY STATEMENTS.**

30.6 The summary statements referred to in part 8230.3950 must be certified to the
30.7 official conducting the election. The official conducting the election shall prepare one
30.8 summary statement for each jurisdiction canvassing the results of the election. The official
30.9 conducting the election may authorize the printing of copies of the summary statement
30.10 for public information purposes. The official conducting the election shall prepare copies
30.11 of any additional forms required by the secretary of state.

30.12 **8230.4365 PRECINCT COUNT VOTING SYSTEM EQUIPMENT AND**
30.13 **PROCEDURES.**

30.14 **Subpart 1. Number of ballot counters and memory units.**

30.15 A. At least one precinct count voting system and at least one memory unit must
30.16 be used in each precinct. One precinct count voting system and one memory unit may be
30.17 used to count ballots for combined precincts.

30.18 B. Results must be produced for each precinct by either (1) printing a separate
30.19 summary statement for each precinct, or (2) producing segregated results for each precinct
30.20 that can be identified and attached individually as part of a complete summary statement
30.21 for each precinct. The voted ballots must be separated and sealed by precinct.

30.22 [For text of subps 2 to 6, see M.R.]

30.23 **8230.4380 SUMMARY STATEMENT.**

30.24 One unbroken tape that includes the zero report at the opening of the polls, messages
30.25 printed during the hours of voting, and the first printout of results must be certified to the
30.26 official conducting the election. In the event of equipment or power failure, the election

31.1 judges and any technicians working on the equipment shall make entries on the tape of
31.2 initials and time of occurrence to indicate the points at which the equipment failed and
31.3 was returned to service. If the tape has been broken, the election judges shall seal the parts
31.4 together and sign over the seal so that it cannot be broken without disturbing the continuity
31.5 of the signatures. The election judges shall prepare the number of summary statements
31.6 directed by the official conducting the election. The official conducting the election may
31.7 authorize the printing of copies of the summary statement for public information purposes.
31.8 The official conducting the election shall prepare copies of any additional forms required
31.9 by the secretary of state.

31.10 **8250.0375 FORM OF JUDICIAL BALLOT.**

31.11 Subpart 1. **General form.** The judicial ballot must only be used when it is not
31.12 possible to place all offices on a single ballot for the state general election as provided in
31.13 Minnesota Statutes, section 204D.11, subdivision 6. The ballot for judicial nonpartisan
31.14 offices must be prepared in the same manner as the state general election ballot, except
31.15 the ballot heading provided in part 8250.1810, subpart 3, must instead use the words
31.16 "Judicial Nonpartisan General Election Ballot."

31.17 Subp. 2. [Repealed, 38 SR 1368]

31.18 **8250.0385 FORM OF TOWN ELECTION BALLOT.**

31.19 Subpart 1. **General form.** A town election ballot must be prepared in the same
31.20 manner as the state general election ballot as provided in part 8250.1810, except towns
31.21 conducting an election under the limited exemption under Minnesota Statutes, section
31.22 206.57, subdivision 5a, may prepare ballots as provided in this part.

31.23 Subp. 1a. **Ballot heading.** The words "Town Election Ballot" must be printed at
31.24 the top of the ballot.

32.1 Subp. 2. **Ballot order.** Town offices and questions must be listed in the following
32.2 order and must be identified as follows:

32.3 Town Supervisor

32.4 Town Clerk

32.5 Town Treasurer

32.6 Town Question

32.7 The name and/or number of the district that the person elected will represent must be
32.8 printed directly under the title of the office.

32.9 If two of the offices listed in this subpart have been combined into one office, the
32.10 combined office must take the place of the first office listed in this subpart. The title of
32.11 a vacant township office being filled at an annual town election may be followed by the
32.12 number of years remaining in the term. Town offices not listed in this subpart must follow
32.13 the last office listed above and must be listed in the order determined by the town clerk.

32.14 Subp. 3. **Names of candidates.** The full name of each candidate shall be printed at
32.15 right angles to the length of the town election ballot. Below the name of the last candidate
32.16 for each office shall be placed as many blank lines as there are offices of that kind to be
32.17 filled, and on the blank lines the voter may write the names of persons not printed on the
32.18 ballot for whom the voter desires to vote. When no person has filed for an office to be filled,
32.19 the title and identification of the office shall be printed on the town election ballot with as
32.20 many blank lines below as there are offices to be filled; the voter's choice may be written
32.21 in the blanks. On the left side of the ballot and on a line with the names of candidates and
32.22 the blank lines, there shall be placed squares or similar target shapes, and each square or
32.23 similar target shape must be of the same size, in which the voter may designate the choice
32.24 by a mark (X). The name of a candidate may not appear on a ballot in any way which
32.25 gives the candidate an advantage over an opponent except as provided by law.

32.26 Subp. 4. **Town questions.** The following words must be printed directly under
32.27 the ballot heading, municipality name, election type, and election date. "To vote for a

33.1 question, put an (X) in the square next to the word "Yes" on that question. To vote against
33.2 a question, put an (X) in the square next to the word "No" on that question." When a target
33.3 shape other than a square is used on the ballot, then the word "square" must be replaced
33.4 with the applicable target shape word. When more than one town question is on the ballot,
33.5 each town ballot question must be designated by a number and must be preceded by the
33.6 words "Town Question" and the number assigned to the question. The town clerk or town
33.7 governing body shall provide a title for each town question printed on the town election
33.8 ballot. The title must not contain more than ten words. The municipality's attorney shall
33.9 review the title to determine whether it accurately describes the question asked. The title
33.10 must not be used on the ballot until it has been approved by the municipality's attorney.
33.11 The title must be printed above the question to which it refers. The body of the question
33.12 must be printed in upper and lower case letters.

33.13 Subp. 5. **Back of ballot.** On the back of the town election ballot shall be printed the
33.14 words "Official Ballot," the date of the election, and lines for the initials of two judges.
33.15 The printing shall be placed as to be visible when the ballot is properly folded for deposit.

33.16 Subp. 6. **Type styles and sizes.** The words "Put an (X) in the square opposite the
33.17 name of each candidate you wish to vote for" must be printed in upper and lower case
33.18 in as large as practicable but no smaller than 8-point bold type. When a target shape
33.19 other than a square is used on the ballot, then the word "square" must be replaced with
33.20 the applicable target shape word.

33.21 The words "Town Election Ballot" must be printed in as large as practicable but
33.22 not smaller than 18-point type.

33.23 The office and its identification must be printed in as large as practicable but no
33.24 smaller than 10-point bold type.

33.25 The words "Vote For One" must be printed in as large as practicable but no smaller
33.26 than 8-point bold type.

34.1 The names of the candidates must be printed in as large as practicable but no smaller
34.2 than 8-point bold type.

34.3 The words "Official Ballot" on the back of the ballot must be printed no smaller than
34.4 8-point bold type, the date in upper case in as large as practicable but no smaller than
34.5 8-point type, and the word "Judge" in upper and lower case in as large as practicable
34.6 but no smaller than 10-point type.

34.7 [For text of subp 7, see M.R.]

34.8 **8250.0700 NUMBER OF CANDIDATES.**

34.9 Directly underneath the title and identification of each office shall be printed the
34.10 words "Vote For One" or more, according to the number to be elected.

34.11 **8250.1600 APPLICABILITY.**

34.12 Part 8250.1810 applies to electronic voting systems, as defined in Minnesota Statutes,
34.13 section 206.56, subdivision 8.

34.14 **8250.1810 FORMAT OF BALLOTS FOR OPTICAL SCAN SYSTEMS.**

34.15 Subpart 1. **Ballot form.** The optical scan ballot shall be prepared in a sufficient
34.16 number to enable the clerks to comply with Minnesota Statutes, section 204B.29. The
34.17 ballot shall be prepared and printed as soon as practicable, but in no event less than 46
34.18 days before an election unless otherwise specified in statute. Ballots for distribution in the
34.19 polling place must be shrink-wrapped in quantities of 25, 50, or 100.

34.20 The ballot shall be printed with black ink on white paper. The ballot shall be printed so
34.21 as to be easily legible and in mixed upper and lower case, with suitable lines for divisions
34.22 between candidates, offices, instructions, and other matter proper to be printed on the ballot.

34.23 Each ballot must have printed on it both the name of the precinct and an electronically
34.24 readable precinct identifier or ballot style indicator. A ballot style used in more than one
34.25 precinct may have the names of all precincts in which it is used printed on the ballot. If
34.26 multiple ballots styles are to be used in the same precinct for precincts split by school

districts, each ballot style must include the precinct name and applicable school district number. Only the electronically readable precinct identifier or ballot style indicator is required on a presidential only or federal only absentee ballot.

Subp. 2. **Primary ballot form.** Items A to E apply to primary ballots.

A. On the partisan primary ballot, the names of the political parties that head the political party columns must be printed in as large as practicable but no smaller than 14-point bold type and must be shaded with a screen of at least ten percent. When a party does not have candidates within a given precinct, the party headings are to remain on top of each column, regardless of whether the party has a contest on the given ballot.

B. If a partisan primary ballot also includes a nonpartisan primary section, the ballot must contain a demarcation indicating the beginning of the nonpartisan section of the ballot.

C. Pursuant to Minnesota Statutes, section 206.90, subdivision 6, the instructions in Minnesota Statutes, section 204D.08, do not apply to optical scan partisan primary ballots.

D. If a partisan primary ballot has political party columns on both sides of the ballot, the instruction in subpart 13 for two-sided ballots must not be used on the ballot.

E. If a primary ballot or special primary ballot contains only a partisan primary, the instructions to the voter must include a statement that reads substantially as follows: "This is a partisan primary ballot. You are permitted to vote for candidates of one political party only." If a partisan primary ballot contains both a partisan ballot and a nonpartisan ballot, the instructions to voters must include a statement that reads substantially as follows: "This ballot card contains a partisan ballot and a nonpartisan ballot. On the partisan ballot you are permitted to vote for candidates of one political party only." If a primary ballot contains political party columns on both sides of the ballot, the instructions to voters must include a statement that reads substantially as follows: "Additional political parties are

36.1 printed on the other side of this ballot. Vote for one political party only." At the bottom
36.2 of each political party column on the primary ballot, the ballot must contain a statement
36.3 that reads substantially as follows: "Continue voting on the nonpartisan ballot." These
36.4 statements must be printed in as large as practicable but no smaller than 10-point type.

36.5 F. The names of candidates for nomination of the major political party that
36.6 received the smallest average vote at the last state general election must be placed in
36.7 the first column on the left side of the ballot. The names of candidates for nomination
36.8 of the major political party that received the next smallest average vote at the last state
36.9 general election must be placed in the second column and so on. The average vote shall be
36.10 computed in the manner provided in Minnesota Statutes, section 204D.13, subdivision 2.
36.11 If there are only two major political parties to be listed, one party must occupy the left
36.12 hand column, the other party must occupy the right hand column, and the center column
36.13 must contain the following statement: "Do not vote for candidates of more than one party."

36.14 Subp. 3. **Ballot heading.** At the top of a ballot containing both partisan and
36.15 nonpartisan offices, the applicable words "State General Election Ballot" or "State Partisan
36.16 Primary Ballot" and "State and County Nonpartisan Primary Ballot" shall be printed. At
36.17 the top of a special election ballot for state office containing only a vacancy for a partisan
36.18 office, the words "Special Election Ballot" shall be printed. At the top of a primary ballot
36.19 containing only partisan offices, the words "State Primary Ballot" shall be printed. At the
36.20 top of a special primary ballot for state office containing only a vacancy for a partisan
36.21 office, the words "Special Primary Ballot" shall be printed. At the top of a ballot containing
36.22 only nonpartisan offices, the words "General Election Ballot" or "Primary Election Ballot"
36.23 shall be printed, except for first-class cities which may use an optional heading. At the top
36.24 of a ballot containing questions only, the words "Special Election Ballot" shall be printed.

36.25 When a county, municipal, school district, or hospital district election is held other
36.26 than in conjunction with a federal or state office, the applicable words "County Election

37.1 Ballot," "City Election Ballot," "Town Election Ballot," "School District Ballot," or
37.2 "Hospital District Ballot" shall be printed.

37.3 The name of the jurisdiction preparing the ballot may be added within the heading in
37.4 no smaller than 8-point type. The date of the election must be printed within the heading
37.5 in no smaller than 8-point type.

37.6 The ballot heading must be printed no smaller than 10-point type.

37.7 On the front of the ballot the words "Official Ballot" must be printed in as large as
37.8 practicable but no smaller than 8-point bold type and the word "Judge" in as large as
37.9 practicable but no smaller than 8-point type with lines for initials of at least two election
37.10 judges.

37.11 Subp. 4. **Instructions to voters.** Under the heading at the top of each side of the
37.12 ballot, the words "Instructions to Voters:" must be printed in bold and in as large as
37.13 practicable but no smaller than 12-point bold type. The words "To vote, completely fill in
37.14 the oval(s) next to your choice(s) like this: (R)." or a similar wording or mark if a different
37.15 target shape is used by the electronic voting equipment must follow and be printed in as
37.16 large as practicable but no smaller than 8-point bold type. The county may include an
37.17 image demonstrating the instruction if approved by the secretary of state.

37.18 Immediately under each office title and district identified, one of the following
37.19 instructions must be printed in bold type in as large as practicable but no smaller than
37.20 8-point type:

37.21 Vote for One Team

37.22 Vote for One

37.23 Vote for Up to followed by the number of candidates to be elected.

37.24 Subp. 5. **Order and form of office types.** When more than one of the following
37.25 types of offices is on the ballot, the offices must appear on the ballot in the following
37.26 order and must be identified as follows:

37.27 Federal Offices

- 38.1 State Offices
- 38.2 Constitutional Amendments
- 38.3 County Offices
- 38.4 County Questions
- 38.5 City Offices
- 38.6 City Questions
- 38.7 Town Offices
- 38.8 Town Questions
- 38.9 School District Offices
- 38.10 School District Questions
- 38.11 Special District Offices
- 38.12 Special District Questions
- 38.13 Judicial Offices
- 38.14 The name or the number of the appropriate municipality, school district, or special
- 38.15 district may be added directly under the office types listed in this subpart.

38.16 Subp. 6. **Order and form of offices.** The offices must appear on the ballot in the
38.17 following order and must be identified as follows in as large as practicable but no smaller
38.18 than 10-point bold type. The office titles must be shaded with a screen of at least ten percent:

- 38.19 President and Vice-President
- 38.20 United States Senator
- 38.21 United States Representative
- 38.22 State Senator
- 38.23 State Representative
- 38.24 Governor and Lieutenant Governor
- 38.25 Secretary of State
- 38.26 State Auditor
- 38.27 Attorney General

- 39.1 County Commissioner
- 39.2 County Auditor
- 39.3 County Treasurer
- 39.4 County Auditor-Treasurer
- 39.5 County Recorder
- 39.6 County Sheriff
- 39.7 County Attorney
- 39.8 County Surveyor
- 39.9 County Coroner
- 39.10 County Park Commissioner
- 39.11 Soil and Water Conservation District Supervisor
- 39.12 Conservation District Supervisor
- 39.13 County Questions
- 39.14 Mayor
- 39.15 Council Member
- 39.16 City Clerk
- 39.17 City Treasurer
- 39.18 City Questions
- 39.19 Town Supervisor
- 39.20 Town Clerk
- 39.21 Town Treasurer
- 39.22 Town Questions
- 39.23 School Board Member
- 39.24 School District Questions
- 39.25 Hospital District Board Member
- 39.26 Hospital District Questions
- 39.27 Judicial offices must follow special district offices and appear in the following order:

40.1 Chief Justice - Supreme Court

40.2 Associate Justice - Supreme Court

40.3 Judge - Court of Appeals

40.4 Judge - District Court

40.5 "United States" may be abbreviated as "U.S." Directly underneath the titles of the
40.6 offices of United States representative and state senator and representative must be printed
40.7 the district numbers (for example: "District 6") that the person elected will represent. A
40.8 single vote must be cast for president and vice-president and for governor and lieutenant
40.9 governor.

40.10 If on the same ballot with other offices of the same type, offices elected at large must
40.11 include "At Large" following the office identification and must be listed before other
40.12 offices of the same type elected by district.

40.13 Where nonjudicial offices are designated by number, those offices must be listed in
40.14 numerical order and must be printed directly under the title of the office. Where judicial
40.15 offices are designated by number, the seats must be listed in numerical order, except that
40.16 for judicial offices for a specific court for which there is only one candidate filed must
40.17 appear after all other judicial offices for that same court.

40.18 If an office is not to be filled at a general election, the office must not appear on the
40.19 ballot. If two of the offices have been combined into one office, the combined office must
40.20 take the place of the first office listed in this subpart.

40.21 Any county offices not listed must follow the office of soil and water conservation
40.22 district supervisor on the ballot and must be listed in the order determined by the county
40.23 auditor.

40.24 **Subp. 7. Order and form of candidate names.** The name of each candidate as filed
40.25 on the affidavit of candidacy shall be printed at right angles to the length of the ballot.
40.26 On state primary ballots for nomination to a partisan or nonpartisan office, and on state
40.27 general election ballots and judicial nonpartisan general election ballots, the names of

41.1 each candidate shall be rotated with the names of the other candidates pursuant to part
41.2 8220.0825. If the number of candidates for an office is equal to or less than the number to
41.3 be elected, no rotation of candidate names is required and the official preparing the ballot
41.4 shall determine the position of the candidates by lot. The candidate names must be printed
41.5 in as large as practicable but no smaller than 10-point type. The name of the candidate
41.6 must be aligned as close to the vote target as possible. Below the name of each candidate
41.7 for a partisan office must appear in the designation in not more than three words of the
41.8 party or principle the candidate represents. Words used in the name of a major political
41.9 party as defined in Minnesota Statutes, section 200.02, subdivision 7, may not be used
41.10 to identify the party of a candidate of any other party. This prohibition does not apply
41.11 to the word "independent," if it is used in the name of a major political party. The word
41.12 "nonpartisan" may not be used in the designation of any candidate for a partisan office.
41.13 The party or principle designation, if applicable, must be printed under the candidate name
41.14 in as large as practicable but no smaller than 8-point type.

41.15 Subp. 8. **Order and form of write-in candidate lines.** On general election ballots,
41.16 below the name of the last candidate for each office shall be placed as many blank lines as
41.17 there are offices of that kind to be filled, and on the blank lines the voter may write the
41.18 name of persons not printed on the ballot for whom the voter desires to vote. When no
41.19 person has filed for an office to be filled, the title and identification of the office shall be
41.20 printed on the ballot with as many blank lines below as there are offices to be filled.
41.21 Above or below each write-in line the words "write-in, if any" must appear in as large as
41.22 practicable but no smaller than 6-point type and must be aligned next to the vote target.

41.23 [For text of subp 9, see M.R.]

41.24 Subp. 10. **Order and form of ballot questions.** Ballot questions must be printed
41.25 after offices of the same jurisdiction. Directly after the office type required in subpart 2,
41.26 the following words must be printed in upper and lower case and no smaller than 8-point

42.1 type: "To vote for a question, fill in the oval next to the word 'Yes' on that question. To
42.2 vote against a question, fill in the oval next to the word 'No' on that question." or if a target
42.3 shape other than an oval is used on the ballot, then the word "oval" must be replaced with
42.4 the applicable target shape word. When more than one question is on the ballot for a given
42.5 jurisdiction, each ballot question must be designated by a number and must be preceded
42.6 by the words "County Question," "City Question," "Town Question," "School District
42.7 Question," "Hospital District Question," and the number assigned to the question in as
42.8 large as practicable but no smaller than 10-point bold type. The name and/or number of
42.9 the jurisdiction that the question will represent may be printed directly under the heading
42.10 of the question. The question heading and numbers (where applicable) must be shaded
42.11 with a screen of at least ten percent. A clerk, county auditor, or appropriate governing
42.12 body shall provide a title for each question printed on the ballot. The title must not contain
42.13 more than ten words and must not be used on the ballot until it has been approved by the
42.14 jurisdiction's legal counsel. The title must be printed in bold type in as large as practicable
42.15 but no smaller than 10-point type and must be printed in the same section as the body of
42.16 the question to which it refers. The body of the question must be printed in as large as
42.17 practicable but no smaller than 10-point type. The words "Yes" and "No" must be aligned
42.18 as close as possible to the vote targets and must be printed in bold type in as large as
42.19 practicable but no smaller than 10-point type.

42.20 Subp. 11. **Instructions, order and form of constitutional amendments.** For a
42.21 ballot containing a constitutional amendment, the following statement shall be printed
42.22 beneath the heading in "Constitutional Amendment" no smaller than 8-point type:
42.23 "Failure to vote on a constitutional amendment will have the same effect as voting no
42.24 on the amendment." A bold dividing line running the width of the ballot column shall
42.25 be immediately below the statement. The words "To vote for a proposed constitutional
42.26 amendment, fill in the oval next to the word 'Yes' on that question. To vote against a
42.27 proposed constitutional amendment, fill in the oval next to the word 'No' on that question."

43.1 must follow and be printed in upper and lower case and no smaller than 8-point type. If a
43.2 target shape other than an oval is used on the ballot, then the word "oval" must be replaced
43.3 with the applicable target shape word. If more than one constitutional amendment is on
43.4 the ballot, each constitutional amendment must be designated by a number and must be
43.5 preceded by the word "Amendment" and the number assigned to the amendment and the
43.6 title required by Minnesota Statutes, section 204D.15, subdivision 1, must be printed in
43.7 as large as practicable but no smaller than 10-point bold type and must be shaded with
43.8 a screen of at least ten percent. The body of the question must be printed in as large as
43.9 practicable but no smaller than 10-point type. The words "Yes" and "No" must be aligned
43.10 as close as possible to the vote targets and must be printed in bold type in as large as
43.11 practicable but no smaller than 10-point type.

43.12 [For text of subp 12, see M.R.]

43.13 Subp. 13. **Two-sided ballots.** On two-sided ballots, the words "Vote front and back
43.14 of ballot" must be printed in no smaller than 10-point bold type at the bottom of both
43.15 sides of the ballot.

43.16 [For text of subps 14 to 18, see M.R.]

43.17 **REPEALER.** Minnesota Rules, parts 8200.0800; 8210.0600, subpart 2; 8210.0730,
43.18 subparts 1, 3, and 4; 8230.4360; 8255.0020; and 8255.0025, are repealed.